

SUDAN ASSESSMENT

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Country Information and Policy Unit

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1. SCOPE OF DOCUMENT

1.1 This assessment has been produced by the Country Information and Policy Unit, Immigration and Nationality Directorate, Home Office, from information obtained from a variety of sources.

1.2 The assessment has been prepared for background purposes for those involved in the asylum determination process. The information it contains is not exhaustive, nor is it intended to catalogue all human rights violations. It concentrates on the issues most commonly raised in asylum claims made in the United Kingdom.

1.3 The assessment is sourced throughout. It is intended to be used by caseworkers as a sign-post to the source material which has been made available to them. The vast majority of the source material is readily available in the public domain.

1.4 It is intended to revise the assessment on a 6-monthly basis while the country remains within the top 35 asylum producing countries in the United Kingdom.

1.5 An electronic copy of the assessment has been made available to:

Amnesty International UK

Immigration Advisory Service

Immigration Appellate Authority

Immigration Law Practitioners' Association

Joint Council for the Welfare of Immigrants

JUSTICE

Medical Foundation for the Care of Victims of Torture

Refugee Council

Refugee Legal Centre

UN High Commissioner for Refugees

2. GEOGRAPHY

2.1 The country's name comes from the Arabic *bilad al-sudan*, or "land of the blacks" [26]. The Republic of Sudan has a landmass of some 2,505,813 sq km (967,500 sq miles), with the Nile waters entering Sudan just south of Juba, flowing 3,000 km until they reach Lake Nubia on the Egyptian border [2]. Sudan is the largest country in Africa and is bordered by Egypt to the north, by the Red Sea, Eritrea and Ethiopia to the east, by Kenya, Uganda and the Democratic Republic of Congo to the south, and by the Central African Republic, Chad and Libya to the west [7].

[For further information on Sudan's geography, refer to the Sudan section in *Africa South of the Sahara 2002*, source reference 2]

2.2 Sudan has an estimated population of around 30 million (2000 estimate), made up of many Arab and black African ethnic groups [3d]. The Arab population make up 40% of the population and are the largest ethnic group in Sudan. Arabic is the official language which is spoken by 52% of the population. Many other languages are spoken and English is widely understood [5]. Most northern Sudanese are Muslim, while in the south most of the inhabitants are animists or Christians [1].

2.3 Approximately 86% of the labour force is engaged in agriculture, 9% of the labour force is employed in industry and commerce and 5% of the labour force is employed by the Government [3d]. Exports of crude oil and petroleum products, cotton, gold,

sorghum, peanuts, sugar cane, livestock and meat accounted for 100% of export earnings in 2000. The estimated GDP for 2000 was US\$11 billion and yearly per capita income is estimated to be approximately US\$350. Unemployment and underemployment are serious problems that affect more than half of the labour force. Private investment in the oil sector in 2001 has led to significant increases in oil production. Reforms beginning in the early 1990s aimed at privatising state-run firms and stimulating private investment failed to revive a moribund economy that has a huge foreign debt of approximately US\$21.5 billion and a large military expenditure programme [3b] .

2.4 The transport system is underdeveloped and is a serious constraint on economic growth. The country's vast area and the availability of only one major outlet to the sea place a heavy burden on limited facilities, especially on the government-owned Sudan Railways and on the road network. For centuries, the River Nile was the main highway of Sudan and the White Nile is still an important link with the southern region. Port Sudan is the country's main port on the Red Sea. The government-owned Sudan Airways airline operates domestic and international services from Sudan's main airport at Khartoum. There are several smaller airports, the most important of which are those at Al-Ubayyid and Port Sudan [6].

3. HISTORY

3.1 Sudan was placed under an Anglo-Egyptian administration in 1899 following the defeat of the Mahdist forces in 1898. Independence as a parliamentary republic was achieved on 1 January 1956. A military coup occurred in November 1958, led by General Ibrahim Abboud. Although achieving some economic success for Sudan, Abboud became unpopular over the degree of military involvement in government, allegations of corruption and his military operations against the Anya Nya rebels in the south. The insurgence of the southern provinces, had begun in 1955 against rule from the north. In October 1964, police fired on student demonstrators in Khartoum and a general strike forced Abboud to hand power over to a civilian committee. A transitional government, including the Sudanese Communist Party (SCP) and the Muslim Brotherhood, was formed. With internal splits in the government, failure to improve the economic situation, and a worsening of violence in the south, the government was overthrown in a bloodless coup by Col. Gaafar Muhammad Nimeri in May 1969 [1].

3.2 During his first two years in power, Nimeri adopted socialist policies, renaming Sudan the Democratic Republic of Sudan and created a one-party state under the Sudanese Socialist Union (SSU), effectively abolishing all existing political institutions and organisations. Internal dissent was harshly put down. Regional administrative autonomy for the south was stated as a commitment. The announcement in 1970 by Nimeri, Qaddafi (Libya) and Sadat (Egypt) to unite their countries as a single federal state proved unacceptable to the SCP who staged a coup under Maj. Hashim al-Ata in July 1971. Within 3 days, with popular support, Nimeri returned to power and a purge of communists occurred. Fourteen of them were executed. Relations with the Eastern Bloc cooled and Nimeri's popularity rose, leading to him winning the Presidential Elections in October 1971 by a landslide [1].

3.3 The establishment of a National Assembly and a political party widened the

government's powerbase and policies introduced throughout 1977 reconciled Nimeri with several of his opponents. During 1983, however, the conflict with the south worsened. In September 1983, the government adopted aspects of Islamic law, the shari'a, with martial law being introduced after April 1984. This provoked the largely non-Muslim south to retaliate and some southerners returned to armed conflict. On this occasion, the rebels were organised into the Sudanese People's Liberation Movement (SPLM), with its military wing the Sudanese People's Liberation Army (SPLA). A series of battles in Bahr al-Ghazal and Upper Nile occurred in 1983-4. Meanwhile, the economy deteriorated severely and by the end of February 1985 disillusionment with the regime was growing. A general strike occurred in March 1985 and on 6 April Nimeri was overthrown in a bloodless coup led by Lt. Gen. Swar al-Dahab. In December 1985, the country was renamed the Republic of Sudan [2].

3.4 A transitional constitution was signed in October 1985 and numerous political groups emerged in preparation for the elections, which took place in April 1986. No single party won outright, however, and a coalition government was formed between the Umma Party (UP), led by Sadiq al-Mahdi and the Democratic Unionist Party (DUP), led by Osman al-Mirghani, with al-Mahdi becoming Prime Minister. Various attempts were made to negotiate a peace settlement with the southern groups but all were unsuccessful and fighting continued [1].

3.5 Peace negotiations between the government and the SPLM began in Ethiopia in April 1988 but by mid-June were deadlocked. During 1988 reports of human rights abuses increased, particularly concerning the war zone. In late 1988, there were signs of widespread discontent in the army concerning the government's continuing lack of progress in resolving the civil war. A coup by supporters of ex-president Nimeri was foiled in December 1988. On 30 June 1989, a bloodless coup, led by Brigadier Omar Hassan Ahmad al-Bashir (later to become Lt. General) removed al-Mahdi's Government and formed a 15-member Revolutionary Command Council for National Salvation (RCC). The RCC declared its primary aim was to resolve the civil war. A state of emergency was declared and President al-Bashir proceeded to dismantle the civilian ruling apparatus, the constitution and the National Assembly. All trade unions and political parties were abolished. Civilian newspapers were closed down. A new 21-member cabinet was announced in early July 1989 including 16 civilians, 4 southerners and several members considered to be sympathetic to Islamic fundamentalism. Several attempts to negotiate a peace settlement to the civil war failed, mainly over the issue of shari'a [1].

3.6 On 1 January 1992, President al-Bashir set out plans for a return to democracy with an appointed 300-member Transitional Parliament with powers to propose and pass legislation, ratify treaties with foreign powers and veto decisions by the RCC. The intended popularity of the Parliament's apparent broad base, however, did not prevent widespread political unrest caused by economic austerity measures. While declaring itself prepared for peace talks, the Government launched a military offensive against the SPLA in late February 1992. OAU-sponsored peace negotiations in Abuja in May 1992, attended by Garang, Lam Akol and the government resulted in little but a declaration of Sudan as a "multi-ethnic, multi-lingual, multi-cultural and multi-religious country". On 16 October 1993, the RCC was disbanded having appointed al-Bashir as President and head of a new civilian administration. In February 1994, by constitutional decree, Sudan was re-divided into 26 states instead of the previous 9 [2].

3.7 The first legislative and presidential elections to be held since 1989 took place during 6-17 March 1996. President al-Bashir, appointed as President by the Revolutionary Command Council (RCC) in October 1993, was elected for a five-year term. The new National Assembly, which replaced the transitional legislature appointed in February 1992, comprised 400 seats, of which 275 were elective. The remaining 125 seats had been filled directly at a national conference in January 1996 by representatives of what were described as Sudan's "modern forces". Elections were not held in 10 of the country's southern constituencies owing to lack of security there. The term of the National Assembly is four years. Following the 1996 elections, the executive and legislative power of the states were expanded and southern states were expected to be exempted from shari'a law. The main opposition groups did not field any candidates in the 1996 elections alleging that there was a low turnout of voters and electoral malpractice [2].

3.8 New political laws approved in November 1998 provided for the establishment of an independent election commission, to prepare guidelines for elections and referendums, and of a constitutional court, and for the legalisation of political associations. In January 1999, the age of eligibility to vote was reduced to 17 years. Registration of political parties began in the same month. All political parties were required to have one hundred founding members and these members must not have criminal records to be eligible to be recognised as founding members [2].

3.9 In December 1999, President al-Bashir declared a state of emergency and disbanded the National Assembly two days before it was to vote on a constitutional amendment that would have reduced presidential powers. The amendment called for the creation of a Prime Minister who, though appointed by the president, would be accountable to the National Assembly. It also called for direct elections of the state governors, currently appointed by the President and, if approved, would have made their dismissal contingent on parliamentary approval. The disbanding of the National Assembly reduced the power of the Parliamentary Speaker and chairman of the ruling political party, Hassan al-Turabi. President al-Bashir suspended articles of the constitution and suspended the political activity of Hassan al-Turabi. On 24 January 2000, President al-Bashir formed a new government and in May 2000, he froze all activities of the ruling political party [7].

3.10 The political rift between the president and al-Turabi became more apparent in June 2000 when al-Turabi launched his own opposition political party called the Popular National Congress, and sought to challenge President al-Bashir, accusing him of trying to separate religion and the state [12][28].

3.11 The state of emergency that was first declared in December 1999 was extended in March 2000 to 31 December 2000 and then extended to December 2001. In December 2001, the state of emergency was further extended for another year to December 2002 [3b][32].

3.12 Presidential and parliamentary elections took place from 13-22 December 2000. Sudan's National Elections Authority (NEA) declared President al-Bashir the winner of the Presidential Election which had four other candidates. Al-Bashir won 86.5% of the votes while runner-up Ga'afar Nimeri won 9.6% of the votes. Sudan's ruling National Congress won 355 out of the 360 National Assembly seats in the Parliamentary Election. The five other seats were won by independent candidates. [31]. On 12 February 2001,

President al-Bashir was sworn in for his second term of office [42].

4. STATE STRUCTURES

The Constitution

4.1 Following the 1989 coup that brought the present regime to power, the constitution of the previous regime was abrogated. In October 1997, a 277-member constitutional committee was formed to draft a new constitution. This document was approved by the National Assembly in April 1998 and then submitted to President al-Bashir. A referendum on the new constitution was held during 1-20 May 1998 and the results were announced in June 1998. The results showed that 96.7% of voters were in favour of the new constitution which came into force on 1 July 1998. Under the new constitution, executive power is vested in the Council of Ministers, which is appointed by the president but responsible to the National Assembly. Legislative power is vested in the National Assembly [2]. The constitution provides for the right to life and equality, freedom of association, right to privacy, immunity against arbitrary arrest and detention, freedom of expression and the press, freedom of religion and freedom of movement [4] .

The Political System

4.2 Executive authority is held by the president who is also the prime minister, head of state, head of government and commander-in-chief of the armed forces. Sudan has a federal government structure made up of 26 states, each with a governor appointed by the president and local cabinet and regional ministers [3d].

4.3 The current President of Sudan is Lieutenant General Omar Hassan Ahmad al-Bashir who took power from the previous democratically elected government in a military coup on 30 June 1989. The June 1989 coup removed the previous al-Mahdi government and replaced it with a 15-member Revolutionary Command Council for National Salvation (RCC). Al-Bashir abolished the constitution, the previous regime's National Assembly, all political parties and trade unions. A state of emergency was declared [1] .

4.4 Since 1989, real power has rested with the National Islamic Front (NIF) founded by Hassan al-Turabi, who became Speaker of the National Assembly in 1996. In November 1998, the NIF renamed itself the National Congress (NC). NC members hold key positions in the Government, security forces, judiciary, academic institutions and the media. In 1990, the RCC rejected both multi-party and one-party systems and two years later, established an entirely government-appointed Transitional National Assembly, based on a Libyan-style political structure with ascending levels of non-partisan assemblies. The essentially powerless appointed legislature was replaced following the 1996 elections by an elected National Assembly [3b].

4.5 Presidential and parliamentary elections were held in December 2000. President al-Bashir was elected as president for a five-year term and the National Congress won 340 out of 360 seats in Parliament. The new Parliament took office in February 2001 [3b].

4.6 The legislature is the unicameral National Assembly. Members of the National

Assembly are elected by popular vote in parliamentary elections every four years. Of the 360 members of the National Assembly, 270 are directly elected in constituencies, 35 are women representatives, 26 are university graduate representatives and 29 are representatives of the trade unions [5].

4.7 The 1999 Political Association Act lifted the ban on political parties. The 1999 Political Association Act, revised by the 2000 Political Organisational Act, allows political parties to be officially recognised provided they register with the Government. The law, however, imposes the restriction that all new parties must adhere to the ruling party's ideology. New political parties are approved at the discretion of the Government's registrar. The registrar is appointed by the president with the approval of the National Assembly [7].

The Judiciary

4.8 The judiciary is not independent and is largely subservient to the Government. The Chief Justice of the Supreme Court, formerly elected by sitting judges, is now appointed by the president. As the senior judge in the judicial service, the Chief Justice also controls the judiciary. On occasion, some courts display a degree of independence. Appeal courts on several occasions have overturned decisions of lower courts in political cases, particularly public order courts [3b].

4.9 The judicial system includes four types of courts; regular courts, both civil and criminal; special mixed security courts; military courts; and tribal courts in rural areas to resolve disputes over land, water rights and family matters. Within the regular court system, there are civil and criminal courts, appeal courts and the Supreme Court. Public order courts, which heard only minor public order issues, have been suspended and public order cases are now heard in criminal courts [3b].

4.10 The Constitutional Court was established in April 1999 to protect the Bill of Rights enshrined in the constitution. The Court's main function is to examine draft laws to ensure that the National Assembly does not adopt laws that conflict with the constitution. Any individual whose rights have been violated can lodge a complaint with the Constitutional Court when all other remedies have been exhausted. Members of the Constitutional Court are appointed by the President with the approval of the National Assembly [7].

4.11 In 1989, the Special Courts Act created special three-person security courts to deal with a wide range of offences, including violations of constitutional decrees, emergency regulations, some sections of the Penal Code, as well as drug and currency defences. Special courts, on which both military and civilian judges sit, handle most security-related cases. Sentences usually are severe and implemented at once, however, death sentences are referred to the Chief Justice and the Head of State. Defendants may file appellate briefs with the Chief Justice [3a].

4.12 In November 2001, the Government announced the establishment of special civilian tribunals under the Ministry of Justice, in the border regions separating the south and the north of the country to prosecute persons involved in the abduction, transport, holding and selling or exchanging of women and children from war zones. The tribunals are scheduled to begin operating in 2002 [3b].

4.13 During 2001, the Government established emergency tribunals in the western part of the country to try banditry cases. The emergency tribunals are composed of civil and military judges. Defendants are not permitted access to legal representation. The emergency tribunals ordered sentences such as death by stoning and amputations during 2001. Sentences ordered by emergency tribunals were carried out quickly with only one week allowed for appeal to the district chief justice and there were reports that persons were executed the day after sentencing [3b].

4.14 The 1991 Criminal Act, based on an interpretation of shari'a law, governs criminal cases, whereas the 1983 Civil Transactions Act still applies to most civil cases. The constitution provides for fair and prompt trials but in practice, however, these legal protections are applied inconsistently. Military trials, which are sometimes secret and brief, do not provide procedural safeguards. They have sometimes taken place with no advocate or counsel permitted and no effective appeal for a death sentence. Other than for clemency, witnesses may be permitted. Trials in regular courts nominally meet international standards of legal protections. In the case of poor or needy defendants, legal counsel is provided free of charge in cases where the crimes are punishable by death or life imprisonment. In practice, however, these legal protections are unevenly applied. The law allows for bail except for those accused of crimes punishable by death or life imprisonment [3a].

4.15 The Government officially exempts the southern states, whose population is mostly non-Muslim, from parts of the 1991 Criminal Act but the Act permits the possible future application of shari'a law in the south if the state assemblies so decide. Parts of the south and the Nuba Mountains fall outside effective judicial procedures and other government functions [3b].

4.16 Magistrates in the Sudan People's Liberation Movement/Sudan People's Liberation Army-held areas follow a penal code roughly based on the 1925 Penal Code. In rural areas outside effective SPLM control, tribal chiefs apply customary laws. The SPLM has a judicial system of county magistrates, county judges, regional -judges and a court of appeal. This judicial system does not function in many areas due to lack of infrastructure, communications, funding and an effective police force. The SPLM recognises traditional courts or "Courts of Elders" which usually hear matters of personal affairs such as marriages and dowries and base their decisions on traditional and customary law. Local chiefs usually preside over traditional courts [3a] .

Military Service and the Popular Defence Force

4.17 The law governing military service is the National Service Act 1992 which makes national service compulsory for all males aged between 18 and 33. The Act was introduced in an attempt to meet the increasing personnel needs of the armed forces [33]. National service does not always entail military service as there are alternatives to military service but those called up have no choice as to what kind of national service they do. Persons called for national service must serve in the Sudanese army, the police force, the Public Order Police, in one of the other security forces, in government departments and public projects for social and economic development. People drafted into national service are paid for their services by the Government. Men who have completed their military service receive a certificate stating their national service has

been completed and are exempt from future national service call-ups [29] .

4.18 There is also general conscription into the Popular Defence Force (PDF) [9]. The PDF was created in 1990 and has its legal basis in the Popular Defence Forces Act 1989. The PDF is a militia force attached to the regular army. PDF training involves military training, civil defence training and patriotic and cultural education [33]. The period served in the PDF is 45 days and national service in the regular army lasts for two years. After serving in the PDF, recruits are either returned to their place of education if they are university students or to the front in the south [9].

4.19 The penalty for refusing to perform military service is a fine and up to three years imprisonment [29][33]. It is reportedly difficult to evade military service and a deserter from the army or PDF on being arrested by the authorities will usually be re-conscripted into the armed forces [9]. The right to conscientious objection is not legally recognised [33].

4.20 In order to make it easier for the military authorities to recruit students, all students' birth certificates were passed to the military authorities in May 1997. Students who have not completed their national service cannot obtain an exit visa, nor will they be issued the examination certificate which they should have received on leaving secondary school. Students are required to complete military service before they are issued with their examination certificates which are needed if they intend to go onto further education. Virtually all students at Khartoum University have thus completed their military service and many have been deployed at the front in the south. Many students avoid military service by seeking refuge abroad, especially in Egypt, with their families [9].

4.21 There are three common forms of recruitment to the Popular Defence Force and the armed forces:

- students (at secondary school) faced with the need to collect their examination certificates;
- round-ups in the street or other public places such as markets, sports grounds, cinemas and bus stations;
- call-up via employers (in both the public and private sectors) [9].

4.22 The following categories of people are exempt from national service:

- soldiers of the armed forces, police officers, officers of the Public Order Police and officers of the other security forces;
- students of colleges and institutes from which officers graduate for the Sudanese armed forces provided that students continue the training until graduation and in those cases where they fail to do so, the time spent in the college or the institute shall be deducted from the term of national service;
- persons deemed medically unfit for national service [29].

4.23 One common military conscription procedure is for the military authorities to send prospective conscripts their call-up papers. If those called up for military service in this way fail to report to the military authorities, they will have their pay withheld at work. If they still fail to present themselves to the military authorities, they will be dismissed

from their job. This applies whether the persons concerned work in the public sector or private sector [9].

4.24 Recruits are drawn from the Christian minority in the south and from those living in the north as well as from the Arab majority population in the north. The Christians who are recruited are often humiliated on account of their being Christians and are also put under pressure to convert to Islam as well as having to fight against their own people in the civil war. Not all conscripts are sent to the front. Those well-connected with the regime and other leading figures in the country can avoid military service. This also applies to people whose financial circumstances allow them to buy their way out of military service. In many cases, young men who have managed to do so are sent by their families to the USA and Europe to study [9].

Internal Security

4.25 In addition to the regular police and the armed forces, the Government maintains an external security force, an internal security force, a militia known as the Popular Defence Force (PDF) and other police forces, including the Public Order Police, whose duties include the enforcing of proper social behaviour in line with Islamic principles. The Popular Police Force, which was made up of nominees from neighbourhood popular committees for surveillance and services was disbanded in 2000. The security forces are under the full control of the Government [3b].

Legal Rights/Detention

4.26 The constitution prohibits arbitrary arrest and detention without charge but in practice arbitrary arrest and detention by the security forces is common in Sudan. Under the amended National Security Act, which was approved on 15 December 2000 by the Council of Ministers and subsequently made law by presidential decree, when an individual is accused of violating national security, an individual may be detained for 3 months without charge, renewable by the Director of Security for another 3 months. During a state of emergency, the Government is not constrained by the National Security Act and can detain individuals indefinitely without judicial review, which reportedly it has done. During 2000, the Government used the current state of emergency to detain over 100 individuals [3b].

4.27 The law allows for bail except for those accused of crimes punishable by death or life imprisonment. In theory, the Government provides legal counsel for indigent persons in such cases, however, reports continue that defendants do not always receive this right and that counsel in some cases only may advise the defendant and may not address the court. In some cases, courts have refused to allow certain lawyers to represent defendants [3b].

4.28 The Sudanese authorities continue to detain political opponents of the Government. The Sudanese Human Rights Group (SHRG) reported several cases of this in 2000. A political activist was detained in Atbara for several days in January; two students were detained and beaten because of political activities in February; a lawyer and leading member of the National Democratic Alliance to Restore Democracy (NARD) was arrested and detained in March; Dr. Tobi Madot, Chairperson of the Democratic Forces Front (JAD) was detained in March; four students at the University of Sudan were

detained for 4 days in April for union activities; Sid Ahmed Al-Hussein, deputy secretary-general of the Democratic Unionist Party (DUP), was detained on several occasions in April; six members of the Communist Party were detained in May; five students in Omdurman were detained in June; leading members of the DUP and Umma parties were arrested and detained in June in Sennar City; a lawyer was arrested for political activities in August in Khartoum and a leading DUP member was arrested in September in Khartoum [3a].

4.29 In general, the Government detains persons for a few days before releasing them without charge or trial; however, detentions of Popular National Congress Party (PNCP) and National Democratic Alliance (association of opposition parties and rebel groups) members generally were much longer. There have been unconfirmed reports that security forces tortured, detained without charge, and held incommunicado members of the PNCP. In addition to detentions, government security forces frequently harass political opponents by summoning them for questioning, forcing them to remain during the day without questioning, and then ordering them to return the following day. This process sometimes continues for days [3b].

4.30 According to the United Nations Special Rapporteur on the Situation of Human Rights in Sudan those most likely to be subjected to arbitrary arrest and detention include human rights workers, leaders of opposition political parties, religious leaders and leaders of student groups [7].

4.31 There have been reports that refugees are subject to arbitrary arrest. Security forces also detain persons because of their religious beliefs and activities. Detentions based nominally on religion are of limited duration because the practice of religion is not illegal and detainees cannot be held formally on those grounds indefinitely. To prolong detentions, security forces often resort to accusing those arrested for religious reasons of other crimes such as common crimes and national security crimes [3b].

Prisons and Prison Conditions

4.32 Conditions in government prisons are harsh, overcrowded and life-threatening. Built before the country's independence in 1956, most Sudanese prisons are poorly maintained and many lack basic facilities such as toilets or showers. Health care is primitive and food inadequate. Minors are often held with adults but female prisoners are housed separately from men; rape in prison is reportedly rare. Prison officials arbitrarily deny family visits. High-ranking political prisoners reportedly often enjoy better conditions than other prisoners. No independent Sudanese human rights organisations monitor prison conditions [3b].

Medical Services

4.33 Most of the country's small number of physicians are concentrated in the urban areas of the north as are the major hospitals. Most trained nurses and midwives are in the north. Medical assistants, who can diagnose common endemic diseases and provide simple treatment and vaccination, are in short supply [6].

4.34 Varying ecological conditions in Sudan, poor hygiene and widespread inadequacies of diet result in a high incidence of fatal infectious disease. The most common illnesses

are malaria, dysentery and other gastrointestinal diseases and tuberculosis. Schistosomiasis (snail fever), which occurs in the White and Blue Nile areas, is more restricted geographically but affects a substantial section of the population as does trypanosomiasis (sleeping sickness) in the southern region. Such diseases as cerebrospinal meningitis, measles, whooping cough, infectious hepatitis, syphilis and gonorrhoea are not uncommon. Many Sudanese people in rural areas suffer from temporary undernourishment on a seasonal basis. The average life expectancy in Sudan is 50 years and the infant mortality rate is 105 per 1,000 births [6].

The Education System

4.35 The primary language of instruction in the country's primary schools, secondary schools and universities in both the north and south, is Arabic. The Government provides free primary education from the ages of 6 to 13 years. Secondary education begins at 14 years of age and lasts up to three years. The south remains the most educationally deprived region of the country, with less than one-seventh of the total number of primary schools, despite having one-fourth to one-third of the country's total population. In addition to primary and secondary schools, the country also has several universities [2].

4.36 The University of Khartoum is the most prestigious institution of higher education in Sudan. The smallest of the three universities in Khartoum is the Islamic University of Omdurman, which trains Muslim clerics and scholars. New national universities that emphasise scientific and technical training were opened in the 1970s at Wad Madani in the Gezira and at Juba in the southern region [6].

Sudanese Nationality Laws

4.37 The conditions and qualifications for the granting of Sudanese nationality in Sudan is governed and regulated by the provisions of the Sudanese Nationality Act 1993. Any person born before the law was enacted is regarded as Sudanese if:

- He has acquired and maintained the status of a Sudanese national by descent
- Either he or his father was born in Sudan
- He, at the coming into force of the said Act, is domiciled, since 1 January 1956 or else whose ancestors in the direct male line since that date have all been domiciled in Sudan
- A person who was not born in Sudan and whose father was not born in Sudan, may apply to the Ministry of Interior for an order that he deemed to be Sudanese by descent
- A person born after the enactment of the Act, shall be deemed to be Sudanese by descent if his father is Sudanese by descent at the time of birth

A person born to parents who are Sudanese by naturalisation shall be deemed to be Sudanese by descent if his parents have obtained Sudanese nationality by naturalisation before his birth [8].

4.38 The Minister of Interior may grant a certificate of naturalisation as a Sudanese to an alien who is defined in the law as a person who is not Sudanese on condition that he

- is of full age and capacity
- he has been domiciled in Sudan for a period of five years or more
- he is of good character and has not been convicted of a criminal offence involving moral turpitude [8].

4.39 The applicant has to take the oath of allegiance in the form set out in a schedule attached to the law; as a result he will have the status of being Sudanese by naturalisation from the date of issue of the certificate. The Minister also has the authority to grant a certificate of naturalisation to an alien woman if she can prove that:

- She is a wife of a Sudanese man in accordance with the law
- She has resided with her husband in Sudan for a continuous period of not less than two years from the date of such an application [8].

4.40 Refugees are not allowed to apply for a certificate of naturalisation as this will conflict with the laws and the international agreements regulating the existence of refugees in Sudan. Any resident in Sudan regardless of his religion, beliefs or ethnic origin may still have the right to enjoy naturalisation unless otherwise he has been deprived from such rights by the president of the republic where:

- He has obtained his certificate of naturalisation by fraud, false representation or the concealment of any material fact
- Has, during any war in which Sudan is or has been engaged, unlawfully traded, assisted or communicated with the enemy
- Has been convicted or engaged in espionage against Sudan
- If out of Sudan, has shown himself by act or speech to be disloyal or disaffected towards Sudan, or he has been convicted of such an offence in Sudan
- Has within five years after the date of his naturalisation been sentenced in any country to imprisonment for a term not less than one year, for an offence involving moral turpitude [8].

5A HUMAN RIGHTS ISSUES

Overview

5.1 The Government's human rights record is poor. Sudanese citizens do not have the ability to change their government peacefully. The security forces have reportedly been responsible for human rights abuses against Sudanese citizens. Security forces have reportedly been responsible for killings and disappearances, torture, beatings, harassment, arbitrary arrest and detention and the rape of women. Prison conditions are harsh and life-threatening. The Government has established emergency tribunals in the western part of the country to try banditry cases, which have resulted in seven reported executions of those convicted of robbery. The Government restricts freedom of assembly, freedom of association, freedom of religion and freedom of movement. Violence and discrimination against women, children, religious minorities and ethnic minorities persist as do the practice of child labour, slavery and female genital mutilation [3b].

5.2 The civil war continues and is based on the ethnic, religious and cultural divisions between the warring factions and is regarded as a struggle between the Arab-dominated Islamic government in the north and an alliance of northern Arab opposition political parties and non-Muslim black African rebels from the south. Sudan has been in a state of almost continuous war since it became independent in 1956. The current phase of fighting started in 1983 after the government adopted shari'a law. The conflict has also become a battle for resources, in particular the control of oil and the oil fields in the south [7]. The principal insurgent faction is the Sudan People's Liberation Movement (SPLM), the political wing of the Sudan People's Liberation Army (SPLA). The SPLA remains the principal military force in the insurgency [3b].

5.3 By the end of 2001, the civil war had cost the lives of almost 2,000,000 people and resulted in a further 4,500,000 people being internally displaced. In addition, some 500,000 people were believed to have sought asylum abroad. In 2000, thousands of people were terrorised into leaving their homes in oil-rich Upper Nile by aerial bombardments, mass executions and torture. Crops and livestock were burned and looted to prevent people from returning to their homes. Indiscriminate bombings of civilians in the south of the country continue. Bombardments of civilian targets intensified in other parts of the country in 2000 including Eastern Equatoria, Upper Nile and south Blue Nile [11].

5.4 The control of oil and the Sudanese oil fields has become the key source of conflict between government forces and the Sudan People's Liberation Army (SPLA) as the Government uses the revenue from oil sales to fund its war against the rebel forces. There have been reports of serious human rights abuses committed by government forces on the civilian population in the oil producing areas of Sudan. A direct link between the nature of the civil war and guarantees for security for oil exploration by foreign oil companies became most obvious in intensified warfare in the beginning of 1999. Amnesty International has observed a pattern of human rights abuses in those areas in which foreign oil companies have exploration rights. According to the Amnesty International report - *Sudan: The Human Price of Oil* - which was published in May 2000, tens of thousands of people have been terrorised into leaving their homes in Western Upper Nile in early 1999. Government forces have used ground attacks, helicopter gunship and indiscriminate high altitude bombardment to clear the local population from oil-rich areas. This massive displacement of the local population followed the deployment of additional weaponry and forces specifically drafted in to protect the oil fields [25].

Freedom of Speech and the Media

5.5 The constitution provides for freedom of thought and expression and freedom of the press is allowed according to law. In practice, however, the Government restricts freedom of speech and the press, especially on the basis of national security. Government suspensions of newspapers, intimidation and surveillance inhibit open public discussion of political issues. Journalists practice self-censorship to avoid harassment and persecution by the security forces [3b].

5.6 The Government exercises control of news reporting, particularly of political topics and criticism of the government, through the National Press Council (formerly the National Council for Press and Publications) which is directly responsible to the

president [3b]. The National Press Council (NPC) applies the 1999 Press Act which gives the NPC the authority to grant licences to the press, register journalists and issue sanctions and penalties. The NPC has the power to revoke licences and confiscate printing presses when serious offences are committed by members of the press. At least three newspapers were suspended on approximately ten different occasions during 1999 for publishing articles criticising the Government [7]. The National Press Council consists of 21 members: 7 selected by the President, 5 from the National Assembly, 7 directly elected by journalists from the Journalists' Union and 2 selected by the Journalists' Union leadership [3b].

5.7 During 2001, restrictions on press freedom were imposed through the National Security Emergency Decree. Newspapers are prohibited from publishing articles about the civil war with the exception of information provided by the Ministry of Defence or official government statements. In 2001, the Government suspended publications, detained journalists and editors, confiscated printed editions, conducted pre-publication censorship and limited financial support (advertising government contracts) to pro-government media. On 28 November 2001, the Government announced the lifting of official press censorship on all but four opposition newspapers. Following the lifting of the restrictions, internal security censors no longer sat in publishing houses to approve press copies of articles. The Press Council, however, still has the authority to suspend publications that contain articles considered objectionable by the Government [3b].

5.8 There are 14 daily Arabic newspapers and there are two English language newspapers, which generally represent the viewpoint of southerners. Of the Arabic newspapers, one is government-controlled, several generally reflect the Government's viewpoint and several are independent. A wide variety of Arabic and English-language publications are available but they are subject to censorship. In December 2001, the Government lifted official censorship, however, self-censorship continues and four publications remain under intensive scrutiny. The editors of these publications have been subject to intimidation and arrests [3b].

5.9 In February 2001, a court fined the independent *Al Rai Akhar* newspaper and fined the editor and a journalist for libel against the local government after the newspaper published an article that alleged Khartoum State authorities were guilty of corruption. On 4 February 2001, authorities arrested, fined and charged with libel Amal Abbas, the only female editor of a newspaper, the *Al Rai Al-Akhar*, for the publication of an article that accused the governor of Khartoum of corruption. Abbas was tried, convicted and fined. She was detained briefly and then released [3b].

5.10 Radio and television broadcasting services are controlled directly by the Government and are required to reflect government policies. Sudan Television has a permanent military censor to monitor television news broadcasts to ensure that news broadcasts reflect official views. Sudan National Broadcasting Corporation is Sudan's sole TV broadcaster [26]. In addition to the Sudan's national television station, the Government also maintains a cable network of six channels including CNN, BBC, Middle East Broadcasting Corporation, Dubai-TV, Kuwait-TV and other foreign television broadcasts [3b][26].

Freedom of Religion

5.11 The constitution allows for freedom of religion but the Sudanese Government regards Islam as the state religion of Sudan and Islamic shari'a law remains as the basis for law in the country. In practice, the Sudanese Government restricts freedom of religion. Sudan is a religiously mixed country although Muslims have dominated national government institutions since independence. The vast majority of the population (75%) is Muslim. Muslims live mostly in the north of the country. There are religious minorities of Christians and practitioners of traditional indigenous religions who mostly live in the south of the country. There are no accurate figures on the sizes of the country's religious populations. The influx of 1-2 million southerners displaced by the civil war has brought large communities of practitioners of traditional indigenous religions and Christians to the north of the country. There are established communities of Greek Orthodox and Coptic Rite Christians around Khartoum. About 500,000 Coptic Christians live in the north [3c].

5.12 Religious organisations are subject to the 1994 Societies Registration Act which replaced the 1962 Missionaries Societies Act. It theoretically allows churches to engage in a wider range of activities than did the Missionary Act but churches are subject to the same restrictions placed on non-religious corporations. Religious groups, like all other organisations, must be registered in order to be recognised or to gather legally. Registration reportedly is very difficult to obtain in practice and the Sudanese Government does not treat all groups equally in the approval of such registrations and licences. In recent years, the Roman Catholic Church has not been given permission to build new churches although other Christian groups have received permission. Religious groups that are not registered find it impossible to construct a place of worship or to assemble legally [3c].

5.13 Muslims may proselytize freely in government-controlled areas but non-Muslims are forbidden to proselytize. Non-Muslims may convert to Islam but the 1991 Criminal Act makes apostasy, which includes conversion to another religion, by Muslims punishable by death. Missionaries continue to do other work and a wide range of Christian missionary groups operate in both government and rebel-controlled areas of the country. The Sudanese authorities often harass foreign missionaries and other religiously oriented organisations and delayed their requests for work permits and residence visas. The Sudanese Government is generally least restrictive of Christian groups that historically have had a presence in the country, including Coptic Christians, Roman Catholics and Greek Orthodox Christians and is more restrictive of newer arrivals [3c].

5.14 In government-controlled areas of the south, there continues to be credible evidence of prejudice in favour of Muslims and an unwritten policy of Islamisation of public institutions. Some non-Muslims have lost their jobs in the civil service, the judiciary and other professions. Few non-Muslim university graduates have found government jobs. Some non-Muslim businessmen have complained of petty harassment and discrimination in the awarding of government contracts and trade licences [3c].

5.15 There continues to be reports that the security forces regularly harass and at times use threats and violence against persons on the basis of their religious beliefs and activities. Some Catholic priests report that they are routinely stopped and interrogated by police. Security forces also detain persons in relation to their religious beliefs and activities. Generally, detentions based nominally on religion are of limited duration because the practice of religion is not illegal [3c].

5.16 In April 2001, police injured and briefly detained Christians demonstrating against a government order transferring an Easter service from Khartoum to a suburb. The following day, police tear-gassed students protesting these arrests outside All Saints' Episcopal Church, then stormed the protest meeting inside the church, damaging windows and chairs, and tear-gassed the interior. As a result of this police action, 3 people were seriously injured and 57 people were arrested on the second day of disturbances. Those arrested had no legal representation at their trial the following day. The six girls detained and several boys were flogged and the rest were sentenced to 20 days in jail each [10].

5.17 There have been signs recently that the Government has allowed greater religious freedom. The Public Order Police have been less extreme in their application of the Public Order Act. Women have been seen more commonly without head coverings and wearing trousers. When stopped by the Public Order Police, they commonly were warned rather than detained. On at least some occasions, restrictions on religious visitors and gatherings were relaxed. The Archbishop of Canterbury has visited the country. German evangelist Reinhard Bonnke has also visited the country and held open-air services in Khartoum attended by tens of thousands. Catholic Church representatives have reported that jubilee festivities attended by thousands of persons have routinely taken place in government-held areas without interference or harassment [3c].

5.18 The Muslim population is almost entirely Sunni but is divided into many different groups. The most significant divisions occur along the lines of the Sufi Brotherhood. The Ansar is the Islamic sect behind the Umma Party but membership of the one in no way necessarily indicates membership of the other. Islamic orders associated with opposition political parties, particularly the Khatimia (associated with the Democratic Unionist Party) are regularly denied permission to hold large gatherings [3c] .

5.19 In SPLA-controlled areas, Christians, Muslims and followers of traditional indigenous beliefs generally worship freely although it appears that many of the region's Muslim residents have departed voluntarily over the past years. The SPLM officially favours a secular government for Sudan and has a significant Muslim membership but is dominated by Christians and local SPLM authorities often have a very close relationship with local Christian religious authorities [3c].

Freedom of Assembly and Political Association

5.20 All political parties were banned after the 1989 military coup that brought Omar Hassan al-Bashir to power. The 1999 Political Association Act, as revised by the 2000 Political Organisational Act, lifted the ban on political parties which marked a significant change in government policy. The law allows political parties to be officially recognised provided they register with the Government. The law, however, imposes the restriction that all parties that are registered must adhere to the ruling party's ideology. New political parties are approved at the discretion of the Government's registrar. The registrar is appointed by the President with the approval of the National Assembly [7].

5.21 The continuing National Security Emergency decree and the Criminal Procedure Act, which requires government approval for gatherings involving more than five individuals,

effectively eliminates the right of assembly. The authorities permit only government-authorised gatherings and routinely denies permission for or disrupted gatherings they view as politically oriented or potentially critical of or embarrassing to the Government or the ruling National Congress Party. Islamic orders associated with opposition political parties, particularly the Ansar and Khatimia, were denied permission to hold large public gatherings during 2001 as was the case in previous years. In June 2001, the Government declared a ban on all rallies and public demonstrations in the country and announced that no permits would be authorised or issued [3b] .

5.22 Islamic orders associated with opposition political parties, particularly the Ansar and Khatimia are regularly denied permission to hold large public gatherings. In April 1999, the Muslim Brotherhood, a registered political party, announced that it was denied permission to hold symposiums in Khartoum and Omdurman. In June 1999, 84 persons were detained in Omdurman at the inauguration of the Democratic Forces Front. Eleven politicians present were charged with illegal assembly, disturbing public order and causing a nuisance. They were released on bail and later acquitted. In November 1999, riot police broke up a press conference in the office of human rights activist, Ghazi Suleiman. In June 2000, the Independent Students Congress group of Sennar University organised an unapproved political rally at the university. Armed troops intervened and fired automatic weapons on the campus; the troops killed a student, seriously injured another and around 20 students were taken to hospital [3a].

5.23 In November 1999, the Government signed a peace accord with the Umma Party which is one of Sudan's main opposition political parties. The Umma Party stated that the accord called for the establishment of a democratic federal system of government in Khartoum and for a referendum on self-determination for the south of the country. The agreement was finalised in Djibouti, where East African leaders met to discuss the long-running war, as well as the conflict in Somalia [34]. In March 2000, the Umma Party left the National Democratic Alliance [18][19]. The premises of the Umma Party, which had been seized by the Government in 1989, was handed back to the Umma Party [20]. In April 2000, thirty exiled leading figures of the Umma Party returned to Sudan in accordance with the November 1999 peace accord with the Government [21] .

5.24 On 23 November 2000, Sadiq al-Mahdi, the leader of the Umma Party, returned to Sudan after four years of exile in Egypt. This was a voluntary return with no pre-conditions attached by the Government and with the full approval of President al-Bashir. A large crowd of Umma Party followers met al-Mahdi on his arrival in Sudan. There were no reports that this crowd was broken up by the security forces. This is in line with the Umma Party's policy of constructive engagement with the Government to achieve the political and constitutional changes it wants [35][36][37].

5.25 In December 1999, President al-Bashir declared a state of emergency and disbanded the National Assembly two days before it was to vote on a constitutional amendment that would have reduced presidential powers. The disbanding of the National Assembly reduced the power of the Parliamentary Speaker and chairman of the ruling political party, Hassan al-Turabi. President al-Bashir suspended articles of the constitution and suspended the political activity of Hassan al-Turabi. On 24 January 2000, President al-Bashir formed a new government and in May 2000, he froze all activities of the ruling political party [7]. The political rift between al-Turabi and al-Bashir widened in June 2000 when Hassan al-Turabi launched his own political party called the Popular National

Congress Party (PNCP) and sought to challenge President al-Bashir accusing him of trying to separate religion and the state [12][13][28].

5.26 On 21 February 2001, Hassan al-Turabi and senior members of his Popular National Congress Party (PNCP) were arrested by security forces after the PNCP signed a memorandum of understanding with the Sudan People's Liberation Army (SPLA) [38][39]. They were charged with threatening national security and the constitutional order. Al-Turabi was detained in a maximum security prison, held in solitary confinement and denied visitors [3b]. A committee set up by the Ministry of Justice to look into possible charges against al-Turabi recommended two criminal charges - inciting hatred against the state and sedition. Both crimes are punishable by death or life imprisonment under the Criminal Act [40]. In October 2001 President al-Bashir dropped charges against al-Turabi and the senior members of the PNCP that had been arrested in February 2001. The senior members of the PNCP who had been arrested were released but Al-Turabi was not released for security reasons. He remains in detention under "house arrest" [43].

5.27 All opposition parties and movements of any size, including the Democratic Unionist Party, the Sudan People's Liberation Movement/Army (SPLM/A) and the National Democratic Alliance are represented in Cairo. The SPLM/A's Cairo office acts as a Middle East regional office, under the name of the Middle East Chapter and the movement's head office is in Nairobi in Kenya. Any Sudanese national can join the SPLM/A. All members are given a registration number as shown on their membership card. This number also reflects their position in the movement [9].

Employment Rights

5.28 The constitution provides for the right of organisation for economic or trade union purposes but the Government restricts this right in practice. The Revolutionary Command Council (RCC) abolished the pre-1989 trade unions, closed union offices, froze union assets, forbade strikes and prescribed severe punishments, including the death penalty, for violations of its labour decrees. A 1989 RCC constitutional decree temporarily suspended the right to organise and bargain collectively. These rights were restored to labour organising steering committees in 1996 but government control of the steering committees mean that, in practice, the Government dominates the process of setting wages and working conditions. The absence of labour legislation allowing for trade union meetings, the filing of grievances and other union activity greatly reduce the value of these formal rights [3a].

5.29 The emergency decree, currently in force, banned labour unions not sanctioned by the Government. The threat of worker unrest was a strong motivation for the Government's extension of the emergency decree in December 2001. The government-controlled Sudan Workers' Trade Union Federation functioned during the year - all other unions are banned. The Government dismissed many labour leaders from their jobs or detained them although all of those arrested during 2001 were freed by year's end. The law does not prohibit anti-union discrimination by employers. A tripartite committee comprising representatives of the Government trade unions and business set wages. Specialised labour courts adjudicate standard labour disputes, however, the Ministry of Labour has the authority to refer a dispute to compulsory arbitration [3b].

5.30 The constitution prohibits forced or compulsory labour but slavery continues,

particularly affecting Dinka women and children from northern Bahr al Ghazal. The taking of slaves, particularly in the war zones and their transport to parts of central and northern Sudan continues. There have been frequent and credible reports that Arab Baggara raiders, supported by government soldiers, took women and children as slaves during raids in Bahr el Ghazal State. The Government has not taken any action to halt these practices and continues to support some Baggara tribal militias. The majority of the victims were abducted in raids on settlements carried out by government-affiliated militias accompanying and guarding troop trains to the southern garrison town of Wau. During the raids, the militias, which frequently are not paid by the Government, obtain alternative payment through these acts by abducting women and children, looting villages and stealing cattle to take to the north. Civilians were often killed and villages were destroyed. Following the raids, there were credible reports of practices such as the sale of and purchase of children, some in alleged slave markets and the rape of women. Abductees are frequently forced to herd cattle, work in the fields, fetch water, dig wells and do housework. Abductees are sometimes subjected to torture and rape and are sometimes killed. These practices all have a pronounced racial aspect as the victims are all black southerners and members of the native ethnic groups of the Nuba Mountains [3b].

5.31 The Government has denied that slavery is practiced but acknowledges that abductions occur. The Government also denies involvement or complicity in slavery and states that hostage taking often accompanies tribal warfare, particularly in war zones not under government control [3b].

People Trafficking

5.32 The law does not prohibit trafficking in persons specifically, the constitution specifically prohibits slavery and forced labour. Slavery, forced labour and people trafficking reportedly goes on in Sudan. Slaves reportedly are taken from the war zones of the south and transported to the central and northern parts of Sudan. There have been credible reports of practices such as the sale and purchase of children [3b] .

5.33 Trafficking is generally initiated by government-affiliated militias accompanying troops trains to the southern garrison towns of Aweil and Wau. The militias abduct women and children as remuneration for their services. The militias keep some of the abductees for domestic servitude, forced labour or as sex slaves. Other slaves are given to relatives or other members of their ethnic groups for similar purposes. The majority of the abductees are taken to the government-held part of the country [3b].

5.34 In 1996, the Government established the Special Commission to Investigate Slavery and Disappearance but a report has not been published by the Commission. In 1998, the Government formed the CEAWC, under the Ministry of Justice and comprised of government officials from different ministries and departments, which oversees traditional chiefs who attempt to identify and locate abductees. Since its creation, approximately 300 abductees have been returned to their homes but 10,000 to 12,000 slaves remain in captivity, the majority of whom are Dinkas. The Government has not recorded the identity of the abductors or forced labour owners and has not prosecuted them [3b].

Freedom of Movement

5.35 The constitution provides for freedom of movement and residence and exit from and entry into the country but in practice freedom of movement is restricted by the Government. The Government routinely restricts travel into many areas of the country including the south. Movement is generally free for other citizens outside the war zones but travellers who fail to produce an identity card at checkpoints risk arrest. Foreigners need permits, which are often difficult to obtain and sometimes refused, for domestic travel outside of Khartoum. Foreign diplomats can travel to many locations under government escort. Foreigners must register with the police on entering the country, seek permission to move from one location to another, and re-register at each new location within 3 days of arrival. In December 2000, the Government announced restrictions on travel by diplomatic, international and regional organizations and others into rebel-controlled areas without prior written permission from the Ministry of External Affairs. Women may not travel abroad without the permission of their husbands or male guardians [3b].

5.36 Insurgent movements also require that foreign NGO personnel obtain permission before travelling to areas that they control although they generally granted permission. NGO workers who have worked in government-held territory encounter problems receiving permission to work or travel in insurgent-held territory. In March 2000, the SPLA drew up a memorandum of understanding for NGOs to sign that restricted much of their work in the southern part of the country and as a result many NGOs left the country [3b].

5.37 Sudanese citizens wanting to leave Sudan must have an exit visa stamped in their passports obtainable from the Ministry of the Interior. Bureaucratic procedures are in place for foreign travel and approval depends mainly on political reasons. In several cases, political opponents or persons who were suspected of opposition activities have been prevented from leaving Sudan by the security forces while already on the aeroplane they had intended to leave the country in. The Government denies exit visas to certain categories of persons such as political opponents, doctors and policemen [3b] .

5.38 In general, Sudanese nationals who have been abroad for some time can enter Sudan without any problems. Leaders and high-ranking members of opposition political parties, however, may encounter problems with the security forces on return to Sudan [9]. This, however, would not apply to members of the Umma Party as the leader and leading members of the Umma Party have returned to Sudan recently without any hindrance by the security forces [21][36]. Members of the SPLM/A who have been abroad and would like to return to Sudan would be at risk of persecution. People returning to Sudan from countries having strained or hostile relations with Sudan may be questioned about their activities in the country or countries they had been in [9].

5.39 It is reportedly possible for army deserters and military draft evaders and men of conscription age to be able to leave Sudan via official points of departure by obtaining passports and exit visas by bribing officials [9].

5.40 It is reportedly difficult for journalists, lawyers and media reporters to obtain exit visas because the Government suspects people from these professions to be in possession of information the Government does not want the outside world to know about [9].

5.41 The law includes provisions for the granting of refugee or asylum status in accordance with the 1951 United Nations Convention Relating to the Status of Refugees and its 1967 Protocol. The Government co-operates with the UN High Commissioner for Refugees (UNHCR) and other humanitarian assistance organisations and accorded refugees relatively good treatment. The UNHCR estimated that in 2001 there were approximately 400,000 refugees in Sudan. These refugees came primarily from Eritrea, Ethiopia, Chad, Uganda, the Democratic Republic of Congo and Somalia. Approximately, 193,000 additional refugees are in camps and the rest are in urban areas throughout the country. There have been some reports of the mistreatment of refugees, including beatings and arbitrary arrests by government officials. Refugees cannot become resident aliens or citizens regardless of their length of stay in the country but the Government has allowed a large number of refugees to work. There have been no reports of the forcible repatriation of refugees, regardless of their status [3b].

Use of Torture and other Cruel or Degrading Punishment

5.42 The security forces reportedly torture and beat suspected opponents of the Government such as student leaders, lawyers and others. The security forces use excessive force, including beatings and tear gas, to disperse unapproved demonstrations. There have been reports that security forces torture persons in "ghost houses" although there were no reports in 2001 that security forces used these "ghost houses" These are places where security forces detain government opponents incommunicado under harsh conditions for an indeterminate time with no supervision by the courts or other independent authorities with powers to release the detainees. The security forces, however, kept incommunicado detention opponents or suspected opponents of the Government in other locations during 2001. Government forces have been responsible for injuring many civilians during attacks on rebel forces during raids on civilian settlements and while bombing civilian targets. The security forces are rarely, if ever, held accountable for such abuses [3b].

5.43 Government forces were responsible for injuring many civilians during attacks on insurgent forces, during raids on civilian settlement and while bombing civilian targets. There were reports that persons abducted during those raids were subjected to torture and rape. In November 2000, during a National Democratic Alliance attack on government forces in Kassala, government soldiers detained and severely beat a foreign International Red Cross worker. He was held incommunicado for two days and then released [3b].

5.44 In accordance with shari'a (Islamic) law, the Criminal Act provides for physical punishments including flogging, amputation, stonings, and crucifixion - the public display of a body after execution. In 2000, there were six reported cases of amputations of limbs as punishment under shari'a law for aggravated cases of theft. On 23 January 2001, five men who were convicted of armed robbery had their right hands amputated as punishment. There were seven reported execution sentences ordered by emergency tribunals during the year. In December 2001, an emergency tribunal sentenced a man to amputation and execution for armed banditry [3b].

Arbitrary Interference with Privacy

5.45 The constitution provides for the inviolability of communication and privacy but in practice the Government routinely interferes with its citizens' privacy. Security forces frequently conduct night searches without warrants targeting persons suspected of political crimes. During student demonstrations in September 1999, riot police reportedly broke into private homes to search for demonstrators. Security forces routinely open and read private mail and monitor telephone calls [3a].

5B HUMAN RIGHTS: SPECIFIC GROUPS

Women

5.46 Some aspects of the law including certain provisions of Islamic law as interpreted and applied by the Government and many traditional practices discriminate against women. Gender segregation is common in social settings. Under Islamic law, a Muslim woman has the right to hold and dispose of her own property without interference. Women are ensured inheritance from their parents; however, a daughter inherits half the share of a son and a widow inherits a smaller percentage than do her children. It is much easier for a man to initiate divorce proceedings than for women. Muslim men can marry non-Muslims but Muslim women cannot marry non-Muslims unless the man concerned converts to Islam. Also under Islamic law fathers are favoured in child custody cases. Women cannot travel abroad without the permission of their husbands or male guardians [3b].

5.47 Domestic violence against women in Sudan is a serious issue although there are no reliable statistics. Many women are reluctant to submit formal complaints against such abuse although domestic violence is a legal ground for divorce. The police do not normally intervene in incidences of domestic disputes. The punishment for rape under the 1991 Criminal Act varies from 100 lashes to ten years imprisonment to death. In most cases, convictions for rape are not announced, however, observers believe that sentences are often less than the maximum provided by law. Women from the south are vulnerable to harassment, rape and sexual abuse. The Government has not addressed this issue. There are no specific laws regarding sexual harassment [3b] .

5.48 Women, generally, are not discriminated against in the pursuit of employment. In September 2000, however, a decree was issued by the Governor of Khartoum State banning Sudanese women in Khartoum State from working in public places such as petrol stations, hotels and restaurants where they are in contact with men. This decree does not apply to women outside Khartoum State. During the course of 2001, the ban was not enforced but some employers removed women from their positions on this basis of the ban [3b]. Human rights and women's groups, including the pro-government Sudanese Women's Union have condemned this decree [14][15]. Around 100 women protested against this decree in Khartoum. The Sudanese Group for Human Rights reported that the police caused injuries of various degrees among the demonstrators and arrested 26 of them. The women who were arrested were later released by the police after questioning [16].

Children

5.49 Children continue to be the most vulnerable group in Sudan. They are the principal targets of raids conducted by militias and they are recruited into the armed forces by both the Government and its opponents. As internally displaced persons, they are subject to abuse in camps [7].

5.50 The Government has forcibly conscripted young men and boys into the military forces. The Government officially requires that young men must enter military service to be able to receive a certificate on leaving secondary school. Such a certificate is a requirement for entry into a university and this official requirement effectively broadened the military conscription base [3b].

5.51 The Government operates camps for vagrant children. Police typically send homeless children who have committed crimes to these camps, where they are detained for indefinite periods. Health care and schooling at the camps are generally poor and basic living conditions are often primitive. All the children in the camps, including non-Muslims, must study the Koran and there is pressure on non-Muslims to convert to Islam [3b].

5.52 Female genital mutilation, which is widely condemned by international health experts as damaging to both physical and psychological health, is a tradition in Sudan and is practiced widely, especially in the north. It has been estimated that 90% or more of females in the north have been subjected to female genital mutilation, with consequences that include severe urinary problems, infections and even death. The most severe type of FGM - infibulation - is also the most common type. The practice of female genital mutilation is typically performed on girls between the ages of 4 and 7 in improvised, unsanitary conditions, causing severe pain, trauma and risk of infection [3b].

5.53 No form of FGM is illegal under the Criminal Act but the law forbids doctors and midwives from performing infibulation. Reportedly, women displaced from the south to the north increasingly are imposing FGM on their daughters, even if they themselves have not been subjected to it. A growing number of urban, educated families are abandoning the practice completely. A larger number of families, in a compromise with tradition, have adopted the less severe form of FGM, Sunna, as an alternative to infibulation. The Government has neither arrested nor prosecuted any persons for violating the health law against infibulation. The Government does not support FGM and it has introduced information about FGM in some public education curriculums. One local NGO is working to eradicate FGM [3b].

Ethnic Groups

5.54 Sudan's population of around 27 to 30 million is a very diverse multi-ethnic mix of more than 500 Arab and black African ethnic groups who speak many different languages and dialects. Northern Muslims, who form a majority of approximately 16 million persons, have traditionally dominated the Government. In contrast, the population in the south are mostly animists or Christians from black African ethnic groups and total approximately 6 million people and seek independence or some form of regional self-determination from the north. The Arab Muslim majority and the Arab-dominated government discriminate against ethnic minorities in almost every aspect of society. Citizens in Arabic-speaking areas who do not speak Arabic experience discrimination in education, employment and other areas. The use of Arabic as the

language of instruction in higher education discriminates against non-Arabs [3b] .

5.55 Sudanese who consider themselves Arabs are, for the most part, racially mixed, and many of them are indistinguishable from black southerners. Despite a common language and religion, the Arabs do not constitute a cohesive group - they are highly differentiated in their mode of livelihood and comprise city dwellers, village farmers and pastoral nomads. The Arabs have historically been divided into tribes based on presumed descent from a common ancestor. The tribal system has largely disintegrated in urban areas and settled villages, however, and retains its strength only among the nomads of the plains who raise cattle, sheep, and camels. Each Arab tribe or cluster of tribes is in turn part of a larger tribal grouping, of which the two largest are the Jalayin and the Juhaynah [6].

5.56 Besides Arabs, there are several Muslim but non-Arab ethnic groups in the north. The most notable of these are the Nubians, who live along the Nile in the far north and in southern Egypt. Most Nubians speak Arabic as a second language. The same applies to the Beja, who inhabit the Red Sea Hills. Although they adopted Islam, these pastoral nomads have retained their Bedawiye language, which belongs to the Cushitic branch of the Afro-Asiatic language family. Another non-Arabised Muslim people is the Fur; these sedentary agriculturalists live in or near the Marra Mountains in the far west. North of the Fur are the Zaghawa, who are scattered in the border region [6].

5.57 The most important linguistic grouping in the south is that of the Nilotes, who speak various Eastern Sudanic languages. Chief among the Nilotic peoples are the Dinka, Nuer and Shilluk, who together make up almost 20% of Sudan's population. The Dinka are mostly cattle-herders on the plains east of the White Nile, while the Shilluk are more settled farmers on the west bank of that river. The Nuer live farther south, east of the Mountain Nile [6].

5.58 There are more than one hundred languages spoken as mother tongues in Sudan. Arabic is the official national language and is the most common medium for the conduct of government, commerce, and urban life throughout the country. English has been acknowledged as the principal language in the south since 1972. The languages spoken in Sudan belong to three families of African languages: Afro-Asiatic, Nilo-Saharan and Niger-Congo. The most important of Afro-Asiatic languages are Arabic and the Bedawiye language of the Beja. The Nilo-Saharan languages, including Dinka, Nuba, Nuer and Shilluk account for the next largest number of speakers. The Niger-Congo family is represented by the Azande, Banda, Sere and many other smaller ethnic groups. To overcome these language barriers, the vast majority of Sudanese are multi-lingual, with Arabic and to a lesser extent, English as a second language [6].

5.59 In March 1999, at a grassroots organized peace conference in Wunlit, Bahr El Ghazal, representatives of the Nuer and Dinka tribes signed a peace covenant. The Dinka and the Nuer are the two largest tribes and had been on opposite sides of the civil war since 1991. The Wunlit Accord provided concrete mechanisms for peace, including a ceasefire, an amnesty, the exchange of abducted women and children and monitoring mechanisms. The Wunlit Accord greatly reduced conflict between the Dinka and Nuer tribes in 2000 and during 2001. Although details generally were unavailable, there were credible reports of civilian casualties as a result of ongoing fighting between ethnic Dinkas and Didingas in the New Cush and Chukudum areas in eastern Equatoria [3b].

5.60 The Massaleit, who are black African Muslims, claim that the Government is engaged in a policy of "Arabisation" and that government-sponsored militia groups are trying to eradicate western Sudan of Massaleit and other black tribes. They live in Darfur State which is in the north west of Sudan [7]. The fighting the Massaleit have been involved in is inter-ethnic. There is no current evidence to indicate that the Massaleit people are being systematically persecuted either by the government's security forces and armed forces or by other ethnic groups [44].

5.61 The Nuba people are a somewhat isolated farming community and live in the Nuba Mountains which are located in Southern Kordofan, covering 30,000 square miles and is at the centre of Sudan. As the Nuba people live in central Sudan, they are not regarded as southern Sudanese. A third of the area consists of the mountains or hills themselves, with most of the rest being fertile, clay-heavy plains. The area contains few significant roads or towns. The Nuba people are not related to the Nubians who live farther north. They are a complex people of black ethnic groups with many cultures who speak more than fifty languages. They practice religious and ethnic tolerance and are a mixture of Christians, Muslims and followers of traditional animist religions [24].

5.62 The rebel-held Nuba Mountains are not in the war zone in the south where most of the civil war fighting is taken place but some Nuba people have joined the SPLA and have fought against government forces. The Government suspects that many Nuba people support the SPLA or have sympathies with the SPLA even though they may not be SPLA members as the SPLA have been operating in the Nuba Mountains. The Government, therefore, views the Nuba people as legitimate military targets. There have been recent reports of government forces attacking the Nuba people who live in the Nuba Mountains. As a result of government military offensives, the Nuba people have suffered from death and serious injury, food shortages, homelessness and internal displacement [22][23].

5.63 During 2001, the Government made sustained military attacks in the Nuba Mountains area. In May 2001, the Government attacked the region, bombing extensively and burning down six villages, resulting in the displacement of more than 15,000 people. According to the Nuba Relief Office, an estimated 4,000,000 people were in SPLA-controlled territory as of June 2001, cut off from the rest of rebel-held Sudan, with the lives of more than 50,000 displaced and 30,000 others unable to harvest crops at risk because of these government attacks. The Government persistently denied humanitarian access to civilians in the SPLA-held Nuba Mountains, through flight denials and shelling of airstrips used for unapproved relief deliveries. After years of negotiations, the United Nations in October 2001 succeeded in making the first-ever delivery there of relief with government permission [10].

5.64 In January 2002, the SPLM/A and the Government agreed to a six-month renewable military ceasefire in the Nuba Mountains area after six days of negotiations in talks in Switzerland. The SPLM/A welcomed the ceasefire as it allows the Nuba people to receive international humanitarian assistance and the Government welcomed the ceasefire as it helps to facilitate the work of aid agencies and contributes to the region's rehabilitation and development. An international monitoring unit will oversee the implementation of the ceasefire [17][27].

Treatment of Homosexuals

5.65 Under the 1991 Criminal Act, homosexual activity is illegal in Sudan. A first time offence of buggery carries a penalty of up to five years imprisonment and fifty lashes; the same again for a second offence and for a third offence the death penalty or a sentence of life imprisonment is applied. There are no specific penalties that apply to lesbians. Homosexual activity is known to go on in Sudanese society but not openly. There is no evidence to indicate that the security forces persecute known homosexuals [30].

Human Rights Groups

5.66 The Government resists the presence and activities of human rights groups in the investigation of human rights abuses. Due to government restrictions on freedom of association, there is only one independent human rights organisation based in Sudan - the Sudan Human Rights Organisation. There is only one local non-government organisation (NGO) that addresses health concerns related to the practice of female genital mutilation (FGM) and other traditional practices. During 2000, the Government conducted bombing raids that targeted NGOs and often impeded their activities in the south [3b].

5.67 The Human Rights Advisory Council, a government body whose rapporteur is the Solicitor General for Public Law, continues in its role in addressing human rights issues within the Government. The Council is composed of representatives of human rights offices in 22 government ministries and agencies. Its effectiveness is hampered by lack of co-operation on the part of some of the ministry and agency offices [3a].

5.68 Ghazi Suleiman and Ali Mahmoud were detained without charge by security forces from 9 December 2000 until 17 February 2001, after they condemned the arrests. Suleiman was reportedly tortured, sustaining a head injury and being hospitalised twice during detention [10].

5.69 On 11 March 2001, security forces arrested director Dr Nageed Nagmeldin el Toum and two staff members from the Amal Centre, where free medical treatment and assistance to victims of torture and other human rights abuses was provided. The staff members were released the same day but Dr Nageed, former president of the banned Doctors' Union, was not released until 29 March 2001, after an international campaign. The confiscated office equipment was returned and the centre was re-opened on 27 June 2001 [10].

6. MISCELLANEOUS ISSUES

Humanitarian Aid for Internally Displaced Persons

6.1 About 2 million people are estimated to have died in Sudan from fighting, famine and disease since the current phase of the civil war started in 1983. The ongoing civil war has caused insecurity and population displacement which have not only interrupted or destroyed most of the trading and production systems but have also seriously impeded relief efforts. The

United Nations and numerous non-government organisations are delivering relief assistance by airlifts, airdrops, barges and truck convoys. According to the UN Humanitarian Co-ordination Unit, there are an estimated 4 million internally displaced persons in Sudan. According to the UNHCR, at the start of 2001, Sudan had the second-largest number of refugees in Africa, after Burundi. In 2000, around 30,000 new Sudanese refugees fled to Uganda, Kenya and Ethiopia - which together already host 340,000 refugees from Sudan [45].

6.2 Hundreds of thousands of Sudanese who have fled drought, famine and civil war are living in shanty towns around Khartoum and depend on relief agencies for their survival. In February 2001, in the eastern region of Haya, another 98,000 Sudanese abandoned their villages to escape hunger, as a result of drought which is killing livestock and destroying crops. Around 235,000 people are registered in the camps at Mayo and Jebel Aulia, near Khartoum and in those of Wad al-Beshir and Dar es-Salam, near Omdurman, a big city next to Khartoum. There are another 200,000 people who have not registered as displaced. The overwhelming majority of these displaced people, as opposed to the foreign refugees from neighbouring countries, have come from African communities in southern or central Sudan such as the Nuers, Dinkas or Nubas. Several humanitarian organisations work in Mayo, including France-Sudan Hope 21, a French group employing 12 people and a doctor. Several hundred metres away, the French humanitarian group, Medecins sans Frontieres, has opened a clinic and three nutrition centres, which mainly welcome children [41].

ANNEX A

GLOSSARY

Beja Congress

Armed opposition group and part of the NDA.

Leader - Shaykh/Imam Taha Ahmed Taha

Liberation Front for Southern Sudan (LFSS)

A rival faction to the original SPLM.

Legitimate Command of the Sudanese Armed Forces (LC-SAF)

Formed from dissident military officers from Sudan. It is a part of the NDA. Leader - Lt-Gen Abd al-Rahman Sa'id. Its members are normally military or ex-military officers of some rank.

Muslim Brotherhood

Based in Khartoum. Islamic fundamentalist. Leader - Dr Habir Nur ad-Din

Muslim Brothers

This group split from the original Muslim Brotherhood. Leader - Sadig Abdallah Abdel

Magid

National Alliance for Salvation (NAS)

Founded 1985. Group of professional associations, trade unions and political parties.

National Congress

Ruling political organisation - was known as the National Islamic Front until November 1998. The leader is President al-Bashir.

National Democratic Alliance (NDA)

The NDA is not a political party but is an alliance of opposition political parties and rebel groups and is based in Asmara in Eritrea. The chairman is Osman al-Mirghani and the Secretary General is Mubarak al-Mahdi. Member parties of the NDA include the Beja Congress, the Sudanese Communist Party, the Democratic Unionist Party, the Legitimate Command, the Liberation Front for Southern Sudan, the Southern Sudan Defence Force, the South Sudan Independence Movement, the Sudan Alliance Forces, the Sudan Federal Democratic Alliance, the Sudan People's Liberation Movement and its military wing, the Sudan People's Liberation Army.

National Islamic Front (NIF)

Based in Khartoum. Politico-religious organisation. Widely regarded as the power behind the current al-Bashir regime from 1989 to 1998. It was renamed the National Congress in November 1998.

Nile Valley Conference

Based in Khartoum. Founder - Lt Gen. (rtd) Umar Zaruq

Sudan Alliance Forces (SAF)

Formed in 1994. Small armed opposition group which is based in Eritrea. Leader is Brig. Abdul Aziz Khalid Osman. Member organisation of the National Democratic Alliance.

Sudan Human Rights Organisation (SHRO)

A well-known non-political independent human rights organisation. Its main aims are the promotion and defence of the human rights and freedoms of the Sudanese people. It was founded in 1984 by a group of Sudanese professionals and scholars as a branch of the Arab Human Rights Organisation. It was officially registered as a human rights organisation in 1985.

Sudan People's Liberation Army (SPLA)

Military wing of the SPLM. Leader - John Garang. The SPLA was created in 1983 as the armed wing of the SPLM at the start of the civil war. The majority of SPLA members are from the Dinka ethnic group. They claim to be fighting for a secular and democratic

Sudan but not for full independence for southern Sudan from northern Sudan.

Sudan People's Liberation Movement (SPLM)

Opposition movement. Leader - John Garang. Member organisation of the National Democratic Alliance.

Sudan Victims of Torture Group

London-based victims of torture rights group.

ANNEX B

LIST OF MAIN POLITICAL PARTIES [2]

Alliance of the People's Working Forces

Based in Khartoum. The leader is Gaafar Muhammad Nimeri. The acting Secretary General is Kamal ad-Din Muhammad Abdullah

Democratic Unionist Party (DUP)

Leader - Mohammad Osman (Uthman) al-Mirghani. Conservative in political outlook. Formed in the late 1960s by a merger between the National Unionist Party and the People's Democratic Party. DUP has its base in the muslim Khatmiyyah sect. DUP is one of the founder members of the National Democratic Alliance (NDA) opposition umbrella group. The DUP, however, contains a small faction which remains under the name DUP but to most intents and purposes is a separate party. This faction is led by Zayn al-Abidin el-Hindi (also referred to respectfully as Sharif el-Hindi) and disagrees with the involvement of religion in the DUP and does not form a part of the NDA. The two factions enjoyed a certain degree of co-operation until the return of Sharif el-Hindi to Sudan in June 1997, following which the al-Mirghani DUP disowned him.

Free Sudanese National Party (FSNP)

Leader - Philip Abbas Ghabbush

Independent Democrats

Based in Khartoum. Leader - As-Samawitt Husayn Osman Mansur

Islamic-Christian Solidarity

Based in Khartoum. Founder - Hatim Abdullah az-Zaki Husayn

Islamic Revival Movement

Based in Khartoum. Founder - Siddiq al-Haj as-Siddiq

Islamic Ummah Party (IUP)

Officially registered as a political party on 13 April 1999. Leader - Wali al-Din al-Hadi al-Mahdi. Despite the similar name, this party is completely separate and independent of the Umma Party and is allied with the Government

Nile Valley Conference

Based in Khartoum. Founder Lt-Gen. (rtd) Umar Zaruq

Popular Masses' Alliance

Based in Khartoum. Founder - Faysal Muhmad Husayn

Popular National Congress (PNC)

This is a new political party set up by Hassan al-Turabi, the current leader, in June 2000 after he was expelled from the ruling National Congress. Sometimes referred to as the People's National Congress Party.

Socialist Popular Party

Based in Khartoum. Founder - Sayyid Khalifah Idris Habbani

Sudanese Central Movement

Based in Khartoum. Founder - Dr Muhammad Abu al-Qasim Haj Hamad

Sudanese Communist Party (SCP)

Secretary General - Mohamed Ibrahim Nugud - although numerically smaller than the traditional Sudanese parties (DUP and Umma) it exercises its power through the trade unions.

Sudanese Green Party

Based in Khartoum. Founder - Prof Zakaraia Bashir Imam

Sudanese National Party (SNP)

Based in Khartoum. Leader - Hasan al-Mahi - participates in NDA .

Umma Party (UP)

Mahdist party based on the Koran and Islamic traditions based in the Ansar Muslim sect. Leader - Sadiq al-Mahdi. The party was a member of the NDA until March 2000 when it withdrew its membership. The leader - Sadiq al-Mahdi - returned to Sudan in November 2000 after being in exile.

United Democratic Salvation Front (USDF)

Based in Khartoum. Registered in January 1999. Political wing of the Southern Sudan Defence Force. Comprises 5 of the 7 factions that signed the peace accord with Khartoum's government in April 1997. Leader - Riek Machar

ANNEX C

PROMINENT PEOPLE PAST AND PRESENT

Lt-General Omar Hassan Ahmad al-Bashir - President of Sudan. Came to power in June 1989 after leading a coup

Hassan al-Turabi - Former deputy Prime Minister 1989. Leader of the National Islamic Front (renamed the National Congress in 1998) and Speaker of the National Assembly from 1996 until Parliament was dissolved in December 1999. He was expelled from the ruling National Congress in May 2000 by President al-Bashir and formed his own political party called the Popular National Congress Party in June 2000.

Muhammed Ahmed Mahgoub - Prime Minister 1965-66 & 1967-68

Sadiq al-Mahdi - Prime Minister 1966-67, 1986-89, arrested on several occasions. Fled from house arrest to Eritrea in December 1996. Leader of the Umma Party and spiritual leader of Ansar. Brother-in-law of Hassan al-Turabi. He returned to Sudan in November 2000 after spending several years in exile abroad

Col. Gaafar Muhammad Nimeri - Led coup May 1969, President from 1969 - 1985. Ousted from power for three days in July 1971

Dr Gizuli Dafallah - Organiser of the general strike March 1985, appointed Prime Minister after April coup

Col. John Garang - Leader of the Sudanese People's Liberation Movement and its military wing the SPLA

Riak Machar - Former member of the SPLA, broke away in 1991 and formed the South Sudan Independence Movement (SSIM). Signed peace agreement with the government

Kerubino Kwanyin Bol - Leader of the SPLA-Bahr al-Ghazal faction

Lam Akol - Leader of the SPLA (United) faction. Largely Nuer and Shillik based faction

Muhammad Harun Kafi - Leader of the Nuba Mountains faction of the SPLA

Sharif Zayn al-Abidin el-Hindi - Leader of the DUP faction not allied to the NDA. Returned to Sudan in 1997 and is now in the National Congress

Brig. Abdul Aziz Khalid - Leader of Sudan Alliance Force (SAF)

Mohamed Ibrahim Nugud Mansour - Secretary-General of the Sudanese Communist Party (SCP)

Mohammed Osman Ali al-Mirghani - Leader of the Khatmiyyah Sect and patron of the DUP. Head of the National Democratic Alliance since 1995

ANNEX D

CHRONOLOGY

1899 - Sudan ruled as an Anglo-Egyptian condominium, following the defeat of the Mahdist forces.

1953 - British and Egyptian authorities set up a plan for independence and elections held. National Unionist Party (NUP) wins.

Jan 1954 - Ismail al-Azhari becomes first Prime Minister (PM).

1955 - Rebellion against rule from the north occurs in southern Sudan.

19 Dec 1955 - Parliament unanimously declares Sudan an independent republic.

1 Jan 1956 - Sudan becomes a formally independent country.

1956 - Soon after independence Azhari's Government replaced by coalition of Umma Party (UP) and the People's Democratic Party (PDP). Abdallah Khalil becomes PM.

Nov 1958 - Military coup, army takes control of the state. Gen. Ibrahim Abboud takes control.

Oct 1964 - Police fire on student demonstrators in Khartoum. General strike follows and Abboud forced to hand over power to a civilian committee. Transitional government formed including members of Sudanese Communist Party (SCP) and Muslim Brotherhood.

March 1965 - Conference in Khartoum fails to reach agreement on country's constitutional future.

June 1965 - Elections result in UP-NUP coalition. Muhammad Mahgoub becomes PM. Serious rebel activity occurs in south.

Nov 1965 - Government becomes increasingly right-wing and SCP is banned.

July 1966 - After split in UP, and defeat on a vote of censure, Maghoub resigns and Sadiq al-Mahdi becomes PM.

May 1967 - Al-Mahdi defeated in the Assembly and Maghoub becomes PM for second

time.

Jan 1968 - Assembly dissolved following neglect of domestic problems and a series of defeats in parliament.

April 1968 - Elections lead to Democratic Unionist Party (DUP - formed from merger of PDP and NUP) winning most seats. Maghoub continues as PM.

May 1969 - Government overthrown in a bloodless coup by Col. Gaafar Muhammad Nimeri. All existing political institutions and organisations abolished. Democratic Republic of Sudan proclaimed. Supreme authority in hands of Revolutionary Command Council (RCC).

July 1971 - Sudanese Communist Party staged a coup under Maj. Hasim al-Ata. Within three days, with popular support, Nimeri returned to power, and a purge of communists takes place.

March 1972 - Addis Ababa Agreement signed between Government and Anya Nya rebels, introducing regional autonomy for 3 southern provinces.

April 1973 - Permanent Constitution endorsed.

Nov 1973 - Elections to Regional People's Assembly for southern Sudan take place.

April 1974 - Elections for National People's Assembly.

Jan 1980 - Sudan divided into 5 regions in addition to the south and Khartoum which retained a special status and administrative structure.

Dec 1981 - Elections for National People's Assembly held.

April 1982 - New Southern People's Assembly elected.

April 1983 - President Nimeri re-elected for a third term.

May/June 1983 - South divided into 3 smaller sub-regions, each with own assembly in order to quell unrest, and prevent Dinka domination.

Sept 1983 - The government imposes aspects of Islamic Shari'a Law, seen as a betrayal by the largely non-Muslim south. Some southerners returned to armed conflict in what was commonly known as Anya Nya II. In the north discontent is reflected by a series of strikes in the public sector.

April 1984 - Nimeri declares a state of emergency and martial law is introduced.

July 1984 - National People's Assembly rejects Nimeri's proposed constitutional amendments to make Sudan a formal Islamic state.

6 April 1985 - Nimeri deposed in a bloodless military coup, Gen. Abdel-Rahman Swar al-Dahab becomes new leader. Dr Gizuli Dafallah, a prominent trade unionist, appointed

PM. In response to coup the SPLM initially declared a ceasefire. However, the SPLM refused to negotiate and fighting resumed.

Dec 1985 - Name of country officially changed to 'the Republic of Sudan'.

April 1986 - Elections result in Sadiq al-Mahdi's Umma Party forming a coalition with the DUP. Sadiq al-Mahdi becomes PM.

July 1986 - Sadiq al-Mahdi meets with the SPLM leader John Garang to find a peaceful solution to the conflict.

Aug 1986 - All contacts between the government and SPLM discontinued after the SPLM shoots down a Sudan Airways aircraft killing 60 civilians. Later in month SPLM launch new offensive.

April 1988 - Al-Mahdi dissolves his government and resigns as PM, but is returned as PM on 27 April.

May 1988 - New "government of national unity" is formed comprising of DUP, UP, NIF and some southern parties.

Nov 1988 - Representatives of SPLM meet senior DUP officials and agree to end the civil war if several conditions are met including the suspension of the Islamic code, and the lifting of the state of emergency.

Dec 1988 - State of emergency declared amid reports of an attempted military coup. The DUP withdraw from the coalition after al-Mahdi causes political crisis by requesting a national constitutional conference whilst refusing to incorporate the agreement between the DUP and SPLM. Demonstrations and a national strike take place over increases in prices.

Feb 1989 - Dr Hassan al-Turabi, leader of the National Islamic Front (NIF), becomes Deputy Prime Minister. Later in the month al-Mahdi threatens to resign after row with the army.

March 1989 - Al-Mahdi agrees to form a new broad-based government which would begin peace negotiations with the SPLM. Despite 30 political parties and 17 trade unions endorsing the DUP-SPLM agreement the NIF refuses to endorse the agreement and are excluded from the new government.

30 June 1989 - Lt. Gen.Omar Hassan Ahmed al-Bashir assumes power after a bloodless coup. A 15-member Revolutionary Command Council for National Salvation (RCC) is formed. Al-Bashir rapidly dismantles the civilian ruling apparatus. Civilian newspapers are closed, political parties are banned and a state of emergency declared. 30 members of the former government detained.

July 1989 - Early in month a new 21 member Cabinet is announced, which includes 16 civilians, 4 southerners and several considered sympathetic to Islamic fundamentalism. Lt-Gen. al-Bashir declares a one-month unilateral ceasefire.

23 April 1990 - Claims that a further coup has been foiled, resulting in the execution of 28 army officers on 24 April.

Feb 1991 - The RCC enacts a decree which divides Sudan into nine states, which in turn are sub-divided into 66 provinces and 281 local government areas. Al-Bashir introduces a new penal code based on Shari'a law; the Criminal Act 1991. The three southern states appear exempt from the code, effective from 22 March 1991. The SPLM regarded the application of Shari'a law in the north unacceptable.

April 1991 - 20 army officers are executed for an alleged coup attempt and 2 RCC members dismissed from their posts without explanation. A one-month amnesty for opponents to the regime is declared.

August 1991 - Late August sees a split in the SPLA. The new faction is favoured by the Nuer people, whilst the Dinka still support Garang.

Nov 1991 - Fierce fighting is reported between the two SPLA faction, with several thousand civilians massacred before a cease-fire is negotiated. At the end of the month the Government announces a one-month amnesty for rebels wishing to surrender.

24 Feb 1992 - A 300 member, transitional National Assembly is created, comprising of members of the RCC, state Governors, army and police representatives, former DUP and UP members and former aides to Nimeri.

March 1992 - Government forces launch a new offensive against the SPLA.

May 1992 - OAU sponsors peace negotiations in Abuja attended by Garang, Lam Akol and the Government. The Government refuse a referendum on self-determination for the south. All parties agree to continue negotiations.

July 1993 - The SPLA under Garang launch a major offensive after alleging it had been attacked by government forces aided by other SPLA factions. A Government reshuffle strengthens the NIF's position.

Aug 1993 - The Government launches its own offensive attacking SPLA held towns near the Ugandan border. The Nuba people in central Sudan are reported to have been threatened by government forces. The US places Sudan on its list of countries supporting terrorism on 18 August.

Sept 1993 - The SPLA are reported to have checked the Government forces' advance.

16 Oct 1993 - The RCC is disbanded having appointed al-Bashir as President and head of a new civilian administration.

Jan 1994 - The two principal rival factions of the SPLA agree to a ceasefire. Government forces reported to have launched another offensive. Thousands of civilians flee to Uganda.

Feb 1994 - Sudan is redivided into 26 states instead of nine. The executive and legislative power of the states is expanded. Southern states expected to be exempt from Shari'a

law.

10 April 1994 - Legislation adopted to provide an independent commission, appointed by the President, to supervise the election processes.

20 June 1994 - Sadiq al-Mahdi is arrested for allegedly having plotted to overthrow the Government. No charges are brought against him and he is released on 3 July 1994.

23 July 1994 - The Government announces a unilateral ceasefire.

28 July 1994 - Garang's faction of the SPLA responds with a ceasefire.

Oct 1994 - A government offensive aimed at severing the SPLA's supply lines from Uganda and Zaire goes wrong. The army and PDF forces suffer defeats north of Juba.

March 1995 - Col. Garang announces that the faction under his command has joined forces with rebel groups in the north, under the title of the New Sudan Brigade. Hopes are that it will unite other insurgent groups against the Government.

27 Mar 1995 - Reports that former US President Jimmy Carter has persuaded the Government to declare a unilateral ceasefire for two months. The SPLA and SSIM respond by declaring cease-fires of their own.

27 May 1995 - The Government extends its cease-fire for a further two months, however government violations of the ceasefire are reported. Mid-May Sadiq al-Mahdi was again arrested.

15 June 1995 - The NDA, including the SPLA, DUP, UP and SCP hold a conference in Asmara and announce plans for self-determination once the al-Bashir regime is ousted.

July 1995 - Egypt imposes visa and permit requirements on Sudanese visitors and residents amid strained relations between the two countries.

Aug 1995 - Al-Bashir announces that legislative and presidential elections will take place in 1996. Some political prisoners including Sadiq al-Mahdi are released.

Jan 1996 - US withdraw their diplomatic personnel from Sudan amid fears for their safety. Prior to their withdrawal, the UN Security Council had unanimously adopted Resolution 1044, accusing Sudan of supporting terrorism, and condemning Sudan's role in the assassination attempt on President Mubarak. The resolution also demanded the extradition of three individuals implicated in the incident.

6/17 Mar 1996 - First legislative and presidential elections since 1989 take place. Opposition groups do not field candidates and al-Bashir returned for further 5-year term. Dr al-Turabi (NIF) elected speaker of the National Assembly.

May 1996 - A second faction of SPLA concludes a peace agreement with the Government. May - July many foreign Muslims present in Sudan, including the "Afghan Arabs" and the Saudi national, Osama Bin Laden, are allegedly instructed to leave.

Dec 1996 - Sadiq al-Mahdi flees the country to Eritrea, several members of the Ansar order are detained.

Jan 1997 - The President promises a referendum on the new constitution, and releases 249 prisoners. Rebel forces make considerable gains and lectures at Khartoum University are suspended to allow students to join the PDF.

March 1997 - Opposition forces make substantial gains capturing the garrison town of Yei. At the end of the month Garang states he has control of the whole of White Nile and Western Equatoria.

21 April 1997 - The southern factions who had signed the peace charter in early 1996 finalise and sign the Peace Accord. Signatories are, SSIM, SPLA-Bahr Al-Ghazal faction, Union of Sudan African Parties, Bor Independence Group and Equatoria Defence Force. The SPLA-Nuba Mountains faction under Muhammad Kafi signs a separate agreement. The SSIM forces start reinforcing the government garrison at Juba. Some political detainees held since early 1997 start to be released.

Oct 1997- President Bashir forms a 377-member commission to draft a new Constitution. Peace talks under the auspice of the IGADD open in Nairobi on 29 October 1997.

May 1998 - Voting took place between 1 and 20 May in a referendum on the new constitution, results were expected at the end of June. .

August 1998 - On 8th the US closed its embassy. On 20th the US launched an attack on the Shifa factory in Sudan. Leonardo Franco was appointed UN Special Rapporteur for Sudan, to replace Gaspar Biro, who resigned in April 1998.

Jan 1999 - The National Democratic Alliance holds a mass political rally on 1 January in Omdurman. The Political Association Act comes into effect. At least 30 people are killed in tribal clashes between the Massaleit and a group of nomads. The ceasefire is renewed for a further 3 months on 15 January. The Sudan Alliance Forces claimed to have killed 53 soldiers in fighting from 17-28 January. 147 rebels are killed in fighting with government troops at Buny in the southern blue Nile region on 28 January. The voting age is changed from 18 to 17.

July 1999 - On 4 July, the national currency is changed to the Dinar.

Oct 1999 - On 10 October 1999, Sudan's ruling National Congress elected President Bashir as its president and as its candidate for the 2001 presidential elections. Hassan al-Turabi was re-elected as Secretary General and also as Parliament speaker.

November 1999 - On 26 November, the Sudanese government and the opposition Umma Party signed a peace accord which was criticised by the Sudan People's Liberation Army and the National Democratic Alliance.

Dec 1999 - On 12 December, President al-Bashir dissolved Parliament and declared a three-month state of emergency, which he said was to preserve the unity of the country. Emergency laws took effect on 13 December with the promise of presidential decrees to follow.

Jan 2000 - President Bashir appointed a new government, shortly after reaching agreement with his rival, Islamist Hassan al-Turabi, on proposals to end their power struggle. In the reshuffle, the four key ministers kept their posts. Most of the ministers who have retained their portfolios were Bashir's allies, as were five who were re-shuffled, as well as at least five of the 10 newcomers.

Feb 2000 - Talks between the government and the rebels failed to make any progress. Government air force planes attacked a school in the rebel-held part of the Nuba Mountains.

March 2000 - The Umma Party withdrew from the exiled Sudanese National Democratic Alliance opposition coalition during a meeting of NDA leaders in Asmara.

The Government extended the state of emergency until the end of 2000.

April 2000 - Exiled leaders of the Umma Party return to Sudan. Fighting between the SPLA forces and government forces continues.

May 2000 - Tensions between Hassan al-Turabi and President al-Bashir increase as al-Turabi is suspended as Secretary General of the National Congress. Fighting between Ethiopian and Eritrean troops has forced over 30,000 Eritrean refugees to cross into Sudan's eastern district of Kasala.

June 2000 - Fighting between Government forces and rebel forces in region close to the oil fields reported. Hassan al-Turabi is removed from the position of Secretary General of the National Congress Party and forms new political party called the Popular National Congress.

September 2000 - Women banned from working in public places involving contact with men in Khartoum State. Protest riots follow. Student riots occur throughout Sudan as a protest against renewed military conscription and economic hardship. Reports of fighting between rebel forces and Government forces. Peace talks are held between rebel groups and government representatives. Sudan's General Elections Commission announced that parliamentary and presidential elections would be held in December 2000.

November 2000 - Sadiq al-Mahdi returns to Sudan after spending several years in exile with the full approval of President al-Bashir.

December 2000 - The Presidential and Parliamentary Elections took place from 13 to 22 December 2000. Sudan's National Elections Authority (NEA) declared President al-Bashir the winner of the Presidential Election which had four other candidates. President al-Bashir won 86.5% of the votes while runner-up Ga'afar Nimeri won 9.6% of the votes. Sudan's ruling National Congress won 355 out of the 360 National Assembly seats in the country's Parliamentary Election. The five other seats were won by independent candidates. President al-Bashir extended the state of emergency in Sudan for another year.

February 2001 - On 12 February, President al-Bashir was sworn in as President of Sudan for his second term of office. Hassan al-Turabi, leader of the Popular National Congress Party (PNCP) and senior members of the PNCP were arrested following allegations that the party was developing links with the SPLA.

September 2001 - The United Nations Security Council lifts diplomatic sanctions that were imposed against Sudan in April 1996. The senior members of the PNCP who were arrested in February are released from custody but al-Turabi remains under "house arrest".

January 2002 - Military ceasefire becomes effective in the Nuba Mountains between the SPLA and government forces following a ceasefire agreement

ANNEX E

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